



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.12796 of 2021

1.A.Nizamudeen
2.Azarudeen
3.Markandavel

... Petitioners/Accused
Rank Not Known

Vs

State rep.by
The Inspector of Police,
Chinthamanipaty Police Station,
Karur District.
(Crime No.277 of 2021).

... Respondent/Complainant

For Petitioners : M/s.B.Jameel Arasu, Advocate.

For Respondent : M/s.P.Kottai Chamy
Government Advocate(Crl.side)

For Intervenor : M/s.R.Maheswaran, Advocate for
M/s.C.Susikumar

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.277 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 307 of IPC, in Crime No.277 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 25.08.2021, when the defacto complainant was returning to the home, the petitioners along with other accused waylaid the defacto complainant and assaulted him

with aruval in the hand and caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners were not at all present in the place of occurrence. However, at the instigation of the defacto complainant, who is the relative of the victim, a false case has been foisted against these petitioners. Even in the First Information Report, it has been stated that the victim was assaulted by four unknown persons. However, these petitioners are known to the victim.

4. The learned Government Advocate (Crl.side) appearing for the respondent police has produced the statement recorded under Section 161(3) Cr.P.C from the victim which would reveal that the victim was working in the shop of the first accused and while he was returning home, he was assaulted by four unknown persons. The accused have slashed the hand of the victim and the victim has also produced the photographs to that effect.

5. Considering the facts and the circumstances of this case and also considering the nature of injury, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
27/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TTA

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The Inspector of Police,
Chinthamanipaty Police Station,
Karur District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP (MD) No.12796 of 2021
Date : 27/10/2021